

Mail Stop Interference
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Paper 1
Filed: April 11, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

C. DOUGLASS **THOMAS** and ALAN E. THOMAS
Junior Party
(Patent 5,752,011),

v.

JACK D. **PIPPIN**
Senior Party
(Application ~~10/464,482~~)

Patent Interference No. 105,801 (JL)
(Technology Center 2100)

DECLARATION – Bd.R. 203(b)¹

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-
3 identified parties. Details of the application(s), patent (if any), reissue
4 application (if any), count(s) and claims designated as corresponding or as
5 not corresponding to the count(s) appear in Parts E and F of this
6 DECLARATION.

7 **Part B. Judge managing the interference**

8 Administrative Patent Judge Jameson Lee has been designated to
9 manage the interference. Bd. R. 104(a).

10 **Part C. Standing order**

11 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies
12 this DECLARATION. The STANDING ORDER applies to this
13 interference.

14 **Part D. Initial conference call**

15 A telephone conference call to discuss the interference is set for **2:00**
16 **p.m. on May 24, 2011** (the Board will initiate the call).

17 No later than **four business days** prior to the conference call, each
18 party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R.
19 120; Bd. R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

1 A sample schedule for taking action during the motion phase appears
2 as Form 2 in the STANDING ORDER. Counsel is encouraged to discuss the
3 schedule prior to the conference call and to agree on dates for taking action.
4 A typical motion period lasts approximately eight (8) months. Counsel
5 should be prepared to justify any request for a shorter or longer period.

6 **Part E. Identification and order of the parties**

7
8 Junior Party

9 Named Inventors: C. DOUGLASS THOMAS, Campbell, California

10
11 ALAN E. THOMAS, Ocean City, New Jersey

12
13
14 Involved Patent: 5,752,011, issued May 12, 1998, based on
15 Application 08/262,754, filed June 20, 1994

16
17 Title: Method and system for controlling a processor's
18 clock frequency in accordance with the processor's
19 temperature

20
21
22 Senior Party

23
24 Named Inventor: JACK D. PIPPIN, Portland, Oregon

25
26 Involved Application: 10/464,482, filed June 19, 2003

27 Title: Method and apparatus for programmable thermal
28 sensor for an integrated circuit

29
30 Assignee: None

1 The senior party is assigned exhibit numbers 1001-1999. The junior
2 party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶
3 154.2.1. The senior party is responsible for initiating settlement discussions.
4 SO ¶ 126.1.

5 **Part F. Count and claims of the parties**

6 Count 1

7 Thomas' Claim 6

8 or

9 Pippin's Claim 34

10 The claims of the parties which correspond to Count 1 are:

11 Thomas: 1-32

12 Pippin: 34

13 The claims of the parties which do not correspond to Count 1 and
14 therefore are not involved in the interference, are:

15 Thomas: None

16 Pippin: None

17 The parties are accorded the following benefit for Count 1:

18 Thomas: None

19
20 Pippin: Application 08/636,024, filed April 19, 1996,
21 now Patent 7,216,064; Application
22 08/401,473, filed March 9, 1995; Application
23 08/124,980, filed September 21, 1993

1 **Part G. Heading to be used on papers**
2

3 The following heading must be used on all papers filed in this
4 interference, see SO ¶ 106.1.1:

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1 **Part H. Order form for requesting file copies**

2
3 When requesting copies of files, use of SO Form 4 will greatly
4 expedite processing of the request. Please attach a copy of Parts E and F of
5 this DECLARATION with a hand-drawn circle around the patents and
6 applications for which a copy of a file wrapper is requested.

7
8 /ss/ Jameson Lee
9 Administrative Patent Judge

Enc:

Copy of STANDING ORDER

Revised 3 January 2006

cc (via overnight delivery):

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